

Application No.: 09/486981

Docket No.: NIW-009USRCE2

REMARKS

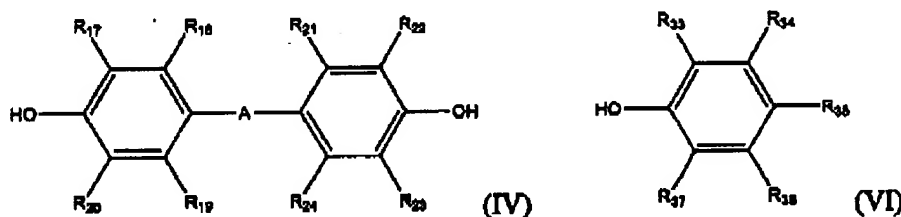
As a preliminary matter, Applicants would like to thank Examiner Price for his time and helpful comments during the telephone conference with Applicants' Attorney on March 28, 2006. Remarks hereinbelow are commensurate in scope with the telephone conference.

Claims 1-4, 12-19 and 28-31 are pending in the application. No claims are amended, thus claims 1-4, 12-19 and 28-31 will remain pending.

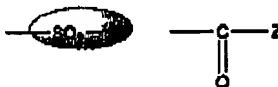
Claim Rejections – 35 U.S.C. §102

Claims 2 and 4 have been rejected under 35 U.S.C. §102(b) as being anticipated by Toan *et al.*, US. Patent No. 5,509,957 ("Toan"). As discussed with the Examiner, Toan does not disclose or suggest phenolic or biphenolic compounds substituted with an $-\text{SO}_2\text{Y}$ group or a $-\text{COZ}$ group.

Pending claims 2 and 4 are directed, in relevant part, to compounds represented by Formula (IV) and Formula (VI):



wherein R_{17} and R_{33} are selected from:



wherein Y and Z are selected from the group consisting of
alkyl having 1 to 6 carbons,
alkenyl having 2 to 6 carbons,
cyclohexyl optionally substituted with alkyl having 1 to 4 carbons or
 alkenyl having 2 to 4 carbons or alkoxy having 1 to 4 carbons or hydroxyl
 or halogen.

Application No.: 09/486981

Docket No.: NIW-009USRCE2

cyclopentyl optionally substituted with alkyl having 1 to 4 carbons or alkenyl having 2 to 4 carbons or alkoxy having 1 to 4 carbons or hydroxyl or halogen,

phenyl optionally substituted with alkyl having 1 to 4 carbons or alkenyl having 2 to 4 carbons or alkoxy having 1 to 4 carbons or halogen,

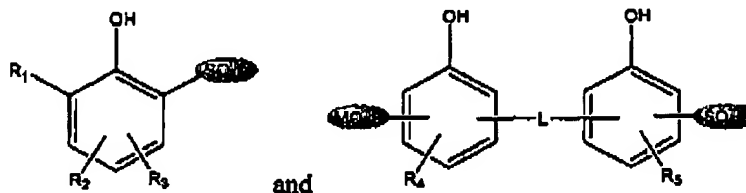
benzyl optionally substituted with alkyl having 1 to 4 carbons or alkenyl having 2 to 4 carbons or alkoxy having 1 to 4 carbons or hydroxyl or halogen,

phenethyl optionally substituted with alkyl having 1 to 4 carbons or alkenyl having 2 to 4 carbons or alkoxy having 1 to 4 carbons or hydroxyl or halogen,

α-methylbenzyl optionally substituted with alkyl having 1 to 4 carbons or alkenyl having 2 to 4 carbons or alkoxy having 1 to 4 carbons or hydroxyl or halogen, or

naphthyl optionally substituted with alkyl having 1 to 4 carbons or alkenyl having 2 to 4 carbons or alkoxy having 1 to 4 carbons or hydroxyl or halogen...

In contrast compounds 1, 3, 4, 6, 7, 9, 15, and 19-24, cited by the Examiner and disclosed in Toan, are all species of the generic structures:



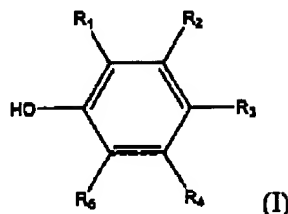
where M is H, an alkali metal ion or NH_4 . Thus the present claims are novel in view of Toan, at least because Toan has no disclosure of phenolic or biphenolic compounds with $-\text{SO}_2\text{Y}$ or $-\text{COZ}$ substituents as defined in the present claims.

Claim 1 has been rejected under 35 U.S.C. §102(b) as being anticipated by Hisao *et al.*, JP-08-133910 ("Hisao"). As discussed with the Examiner, Hisao does not disclose or suggest phenolic or biphenolic compounds with either an $-\text{SO}_2\text{Y}$ group or a $-\text{COZ}$ group.

Application No.: 09/486981

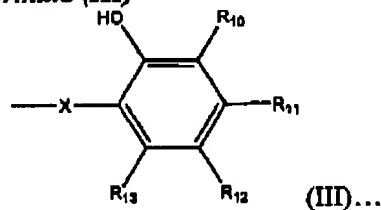
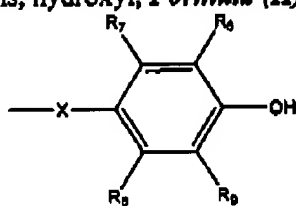
Docket No.: NIW-009USRCE2

Pending claim 1 is directed, in relevant part, to compounds represented by Formula (I):

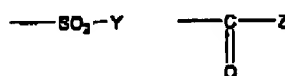


wherein...

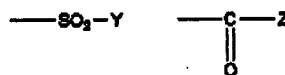
R_3 is selected from the group consisting of hydrogen, halogen, alkyl having 1 to 4 carbons, alkenyl having 2 to 4 carbons, alkoxy having 1 to 4 carbons, hydroxyl, *Formula (II) or Formula (III)*



provided that
when R_3 is of Formula (II), one of R_1 , R_5 , R_6 and R_9 is selected from the group consisting of

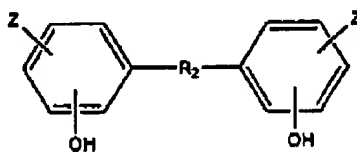


wherein Y and Z are as defined above, [and]
when R_3 is of Formula (III), at least one of R_1 , R_5 and R_{10} is selected from the group consisting of



where Y and Z are as defined above...

In contrast, the abstract and sections [0010] and [0017] to [0024] of Hisao, cited by the Examiner, discloses the generic structure:



wherein Z is H, a halogen, or an alkyl. Thus, the present claims are novel in view of Hisao, at least because Hisao has no disclosure of phenolic or biphenolic compounds with $\text{---SO}_2\text{Y}$ or ---COZ substituents.

Application No.: 09/486981

Docket No.: NIW-009USRCE2

In view of the foregoing, Applicants submit that the present claims are novel in view of both Toan and Hisao, and respectfully request withdrawal of the rejections under 35 U.S.C. §102(b) and reconsideration of the claims.

Claim Rejections – 35 U.S.C. §103

Claims 2-4, 12-19 and 28-31 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Toan in view of Klemm *et al.*, EP 29990 A1 ("Klemm"). Applicants respectfully submit that, in view of the above arguments regarding the rejection of claims under 35 U.S.C. §102(b) in view of Toan, the present claims are novel and unobvious over Toan in view of Klemm. Even in combination, the teachings of Toan and Klemm do not teach or suggest the claimed subject matter, at least because neither disclose phenolic or biphenolic compounds substituted with an $-\text{SO}_2\text{Y}$ group or a $-\text{COZ}$ group.

Accordingly, Applicants respectfully request withdrawal of the rejection of claims 2-4, 12-19 and 28-31 under 35 U.S.C. §103(a) and reconsideration of the claims.

Application No.: 09/486981


Docket No.: NIW-009USRCE2

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Dated: March 31, 2006

Respectfully submitted,

By 
Danielle L. Herritt
Registration No.: 43,670
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
(617) 227-7400
(617) 742-4214 (Fax)
Attorney/Agent For Applicant